



Business Environmental Resource Center

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BERC is a joint service
provider and partner with:

Sacramento Metropolitan Air
Quality Management
District

City of Sacramento
Department of Utilities

Sacramento Regional County
Sanitation District

Sacramento Regional Solid Waste
Authority

Sacramento County
Municipal Services Agency
- Department of Water
Resources
- Planning and
Community
Development
Department
- Construction Management
and Inspection Division

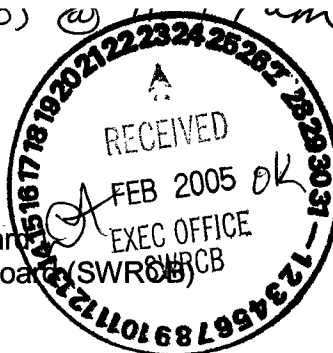
Sacramento County
Environmental Management
Department

Sacramento County
Department of Economic
Development and
Intergovernmental Affairs

Sacramento Municipal
Utility District

February 17, 2005

Ms. Debbie Irvin, Clerk to the Board
State Water Resources Control Board (SWRCB)
1001 I Street, 24th Floor [95814]
P.O. Box 100
Sacramento, CA 95812-0100
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SUBJECT: COMMENTS ON REISSUANCE OF THE SWRCB'S NPDES
GENERAL PERMIT FOR DISCHARGES OF STORM WATER
ASSOCIATED WITH INDUSTRIAL ACTIVITIES (INDUSTRIAL
GENERAL PERMIT) 2004 DRAFT

Dear Ms. Irvin:

The Business Environmental Resource Center (BERC) is pleased to offer its comments on the Draft 2004 Industrial General Permit to the SWRCB. BERC is a unique non-regulatory governmental agency that provides multi-media compliance and permitting assistance to area businesses. To date, BERC has assisted more than 8,000 businesses in complying with storm water, air quality, hazardous materials, hazardous waste, wastewater, and solid waste regulations.

Most businesses assisted by BERC are small businesses or "microbusinesses" (25 or fewer employees) with limited and carefully managed resources. Examples of businesses in the Sacramento area affected by the *NPDES General Permit for Discharges of Storm Water Associated with Industrial Activities* include small manufacturers, marinas, cement batch plants, furniture makers, recyclers and automotive dismantlers.

BERC's mission includes advocacy on behalf of businesses for cost effective and common sense regulatory rules and policies. It is within this role that we offer comments on the *2004 Draft Industrial Permit* for the Board's consideration. Our comments are presented in two forms: an overall summary of notable concerns and specific comments identified by associated permit section.

Overall Summary of Notable Concerns

1. The use of USEPA benchmarks as interim de facto numeric effluent limits and the proposed future adoption of numeric effluent limits.
2. Lack of safeguards or non-punitive relief mechanisms for legitimate instances where background levels of pollutants may be detected from neither natural pre-existing or off-site sources that cannot be explained, managed or controlled by an operator.
3. Pollutant scan requirements with unproven/unknown benefit to water quality.
4. Loss of sampling reduction provisions for non-group sites having demonstrated no compliance issues, no prohibited discharges and no significant pollutants in its discharges.
5. The imposition of blanket sampling requirements based on receiving water quality standards without direct or likely correlation to facility's operation, site-specific potential pollutant sources and/or facility-specific materials of concern.
6. Expanded monitoring requirements for events lacking any discharges.
7. Definition of groups as requiring 10 participants.